

### **In the Claims**

This listing of the claim noted below will replace the prior version of the claim in the application:

1. (Currently Amended) A new distinct variety of nectarine tree as substantially shown and described and which is characterized principally as to novelty by producing an attractively colored clingstone nectarine which is mature for harvesting and shipment approximately August 20-24<sup>th</sup> under the ecological conditions prevailing in the San Joaquin Valley of central California.